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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,915	11/21/2001	Martin Mayer	A-3089	1297

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LERNER AND GREENBERG, P.A.
PATENT ATTORNEYS AND ATTORNEYS AT LAW
Post Office Box 2480
Hollywood, FL 33022-2480

EXAMINER

NGUYEN, HOAI AN D

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant N .

10/034,915

Applicant(s)

MAYER ET AL.

Examiner

Hoai-An D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1, 4
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The information disclosure statement filed on November 21, 2001 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kipphan et al. (US 5,031,535) in view of Schramm et al. (US 4,200,932)

Kipphan et al. teaches an offset printing press comprising:

- zonal ink metering devices (FIG. 1, ink-metering device 7)
- ink metering rollers (FIG.1, ink-duct roller 2)
- presetting values (ink-gap openings) for zonal ink metering devices and for ink metering rollers acting over a printing width derived from zonal area coverage values (zonal ink demands) and an ink stripe width (Column 2, lines 37-45).

However, Kipphan et al. does not specifically teach the following:

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- Deriving presetting values for zonal ink metering devices and for ink metering rollers acting over a printing width from a set value for a weight per unit area of a full tone area.
- Deriving the presetting values by additionally taking into account a respective specific weight of given ones of the plurality of printing inks.

Meanwhile, Schramm et al. discloses an offset printing press using a method of:

- deriving presetting values for zonal ink metering devices and for ink metering rollers acting over a printing width from a set value for a weight per unit area (density) of a full tone area (Column 3, lines 42-68 and Column 4, lines 17-56).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Kipphan et al. to incorporate the teaching of a set value for a weight per unit area (density) of a full tone area taught by Schramm et al. since Schramm et al. teaches that such an arrangement is beneficial to ensure the correct ink application and/or color adjustment in the entire range of the respective color zone. This modification results in the presetting values being based on a respective specific weight of the ink.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kipphan et al. in view of Schramm et al. as applied to claim 1 above, and further in view of Kipphan et al. (US 6,041,708).

Kipphan et al. (US 5,031,535) in view of Schramm et al. teach all that is claimed, except for the following:

- determining the set value for the weight per unit area by using a test print wherein a spectral color measurement value of the test print corresponds to the set value for the weight per unit area.

However, Kipphan et al (US 6,041,708) teaches a printing press deriving:

- the set value for the weight per unit area (density) by using a test print wherein a spectral color measurement value of the test print corresponds to the set value for the weight per unit area (Column 3, lines 12-42).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the invention of Kipphan et al. and Schramm et al. to incorporate the teaching of a spectral color measurement value of the test print taught by Kipphan et al. (US 6,041,708) since Kipphan et al. teaches that a spectral color measurements in each test area is beneficial to determine the deviations of the spectral reflection used for inking.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kipphan et al. in view of Schramm et al. as applied to claim 1 above, and further in view of Maier et al. (US 5,170,711).

Kipphan et al. (US 5,031,535) in view of Schramm et al. teach all that is claimed, except for the following:

- deriving presetting values for a special ink to be used for printing by using correction factors for presetting values provided for a base ink.

However, Maier et al. teaches a printing press deriving:

- presetting values for a special ink to be used for printing by using correction factors for presetting values provided for a base ink (Column 2, lines 1-56).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the invention of Kipphan et al. and Schramm et al. to incorporate the teaching of using correction factors taught by Maier et al. since Maier et al. teaches that using correction factors is beneficial to optimize the dynamics of ink flows and the amount of ink required in individual colors or in ink zones.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant's attention is invited to the followings whose inventions disclose similar devices.

- Brovman (US 4,656,941) teaches a press presetting method.
- Wieland (US 4,829,898) discloses a printing ink supply metering system.
- Seymour et al. (US 5,967,049) teaches an ink key control in a printing press including lateral ink spread, ink saturation, and back-flow compensation.
- Junghans et al. (US 5,896,814) discloses an ink dosing device for inking units of printing presses.
- Six (US 5,530,656) teaches a method for controlling the ink feed of a printing machine for half-tone printing.
- Loeffler et al. (5,947,029) teaches a method for processing the quality of a multi-color print image.
- Kipphan et al. (US 6,119,594) discloses a method for regulating inking during printing operations of a printing press.

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Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoai-An D. Nguyen whose telephone number is (703) 305-3343. The examiner can normally be reached on M-F (8:00 - 5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Hoai-An D. Nguyen
Examiner
Art Unit 2854

HADN
March 3, 2003


ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800